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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Hirokazu Nishimura et al.

**Examiner:** Unassigned

**Serial No.:** 10/667,865

**Art Unit:** 3762

**Filed:** September 22, 2003

**Docket:** 17044

**For:** DIAGNOSTIC SUPPORT APPARATUS

**Dated:** September 7, 2005

**Confirm. No.:** 1153

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

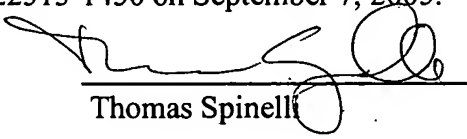
1. International PCT Patent Application Publication No. WO 98/58338, dated December 23, 1998; and
2. European Patent Application Publication No. EP 0 487 110 A2, dated May 27, 1992.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 7, 2005.

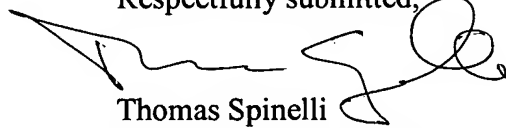
Dated: September 7, 2005

  
Thomas Spinelli

The references were cited in a Search Report dated August 10, 2005 received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Also enclosed herewith is a Statement Pursuant To 37 C.F.R. § 1.704(d) and a date-of-receipt stamped letter to establish the date on which the European Search Report was received.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', with a large, stylized loop at the end.

Thomas Spinelli  
Registration No. 39,533

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TS:jam



**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
17044

In Re Application Of: **Hirokazu Nishimura et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/667,865	September 22, 2003	Unassigned	23389	3762	1153

Title: **DIAGNOSTIC SUPPORT APPARATUS**

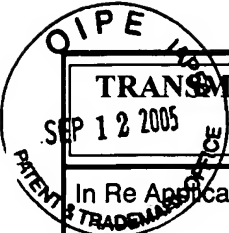
Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).



<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 17044			
In Re Application of:     Hirokazu Nishimura et al.								
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.			
10/667,865	September 22, 2003	Unassigned	23389	3762	1153			
Title: <b>DIAGNOSTIC SUPPORT APPARATUS</b>								
<p style="text-align:center"><b>Payment of Fee</b> (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</p> <p><input type="checkbox"/> A check in the amount of _____ is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No.     <b>19-1013/SSMP</b> as described below.</p> <p>    <input type="checkbox"/> Charge the amount of _____</p> <p>    <input checked="" type="checkbox"/> Credit any overpayment.</p> <p>    <input checked="" type="checkbox"/> Charge any additional fee required.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <table border="1" style="width:100%"><tr><td style="width:50%; vertical-align:top"><p style="text-align:center"><b>Certificate of Transmission by Facsimile*</b></p><p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa</p><p>_____ (Date)</p><p>_____ Signature</p><p>_____ Typed or Printed Name of Person Signing Certificate</p></td><td style="width:50%; vertical-align:top"><p style="text-align:center"><b>Certificate of Mailing by First Class Mail</b></p><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p>    <u>September 7, 2005</u>     (Date)</p><p>_____ Signature of Person Mailing Correspondence Thomas Spinelli</p><p>_____ Typed or Printed Name of Person Mailing Certificate</p></td></tr></table> <p><b>*This certificate may only be used if paying by deposit account.</b></p> <div style="display:flex; justify-content:space-between; align-items:center"><div style="text-align:center"> _____ Signature</div><div>Dated:    September 7, 2005</div></div> <div>Thomas Spinelli Reg. No. 39,533 SCULLY, SCOTT, MURPHY &amp; PRESSER 400 Garden City Plaza - Ste. 300 Garden City, NY 11530 (516) 742-4343 TS:jam</div> <div>cc:</div>							<p style="text-align:center"><b>Certificate of Transmission by Facsimile*</b></p> <p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa</p> <p>_____ (Date)</p> <p>_____ Signature</p> <p>_____ Typed or Printed Name of Person Signing Certificate</p>	<p style="text-align:center"><b>Certificate of Mailing by First Class Mail</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p> <p>    <u>September 7, 2005</u>     (Date)</p> <p>_____ Signature of Person Mailing Correspondence Thomas Spinelli</p> <p>_____ Typed or Printed Name of Person Mailing Certificate</p>
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:


I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

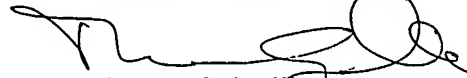
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Dated: September 7, 2005

  
Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

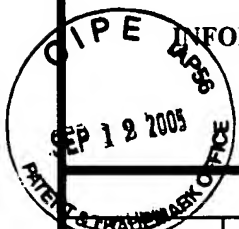
Respectfully submitted,

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400 Garden City Plaza - Ste. 300  
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TS/jam



**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

Docket Number (Optional)  
**17044**

Application Number  
**10/667,865**

Applicant(s)

**Hirokazu Nishimura et al.**

Filing Date

**September 22, 2003**

Group Art Unit

**3762**

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 98/58338	12/23/1998	PCT				
		EP 0 487 110 A2	5/27/1992	EPO				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.